



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

January 11, 2023

MR. JEFF WEBB, TREASURER  
TURNING POINT PAC INC.  
4930 E. BEVERLY ROAD, SUITE 2000  
PHOENIX, AZ 85044

**Response Due Date**  
**02/15/2023**

IDENTIFICATION NUMBER: C00814152

REFERENCE: OCTOBER MONTHLY REPORT (09/01/2022 - 09/30/2022)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 2 item(s):

1. Commission Regulations require that a committee discloses the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name (initials for first or last name are not acceptable), complete mailing address, occupation, and name of employer. (11 CFR § 100.12) Your report discloses contributions from individuals for which the identification is not complete.

The following employer name and occupation entries appear on your report and are not considered acceptable: "INFORMATION REQUESTED/INFORMATION REQUESTED"

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR § 104.7(b)(1)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

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Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2)) The requests must:

- clearly ask for the missing information, without soliciting a contribution,
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you should either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR § 104.7(b)(4))

Please amend your report to provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

2. Schedule A supporting Line 17 (see attached) discloses a receipt(s) from an organization(s) that is not registered with the Commission. 52 U.S.C. §30118 (formerly 2 U.S.C. §441b) prohibits the receipt of funds from national banks, corporations, and labor organizations. However, Commission records indicate that your Committee maintains a Non-Contribution Account consistent with the stipulated judgment in Carey v. FEC.

If the amounts in question were deposited into your Committee's Non-Contribution Account, please amend your report to disclose the item on Schedule A supporting Line 17 of the Detailed Summary Page and disclose "Non-Contribution Account" in the description field or in memo text. For more information please reference the "Reporting Guidance for Political Committees that Maintain a Non-Contribution Account" at <https://www.fec.gov/updates/fec-statement-on-carey-v-fec/>

If you have received a prohibited contribution, you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any

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request from a donor for a refund must be honored.

Please inform the Commission of your corrective action promptly by providing the date and method of your remedy (refund or transfer to a non-federal account) for each contribution. The committee should retain for its records copies of refund checks and transfers to nonfederal account for the contributions in question. In addition, any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of a prohibited contribution, prompt action by your committee to transfer-out or refund the amount will be taken into consideration.

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit [www.fec.gov/help-candidates-and-committees](http://www.fec.gov/help-candidates-and-committees). For more information about Requests for Additional Information (RAI), why you received a letter, and how to respond, please visit [www.fec.gov/help-candidates-and-committees/request-additional-information](http://www.fec.gov/help-candidates-and-committees/request-additional-information). Should you have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number(202) 694-1294.

Sincerely,



Jamie Curran  
Senior Campaign Finance Analyst

**Apparent Impermissible, Excessive, and Prohibited Contributions**  
**Turning Point PAC Inc. (C00814152)**

**Contributions from Possible Prohibited Entities (Corporations, Labor Organization, LLCs)**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Report</b>
TURNING POINT ACTION INC	9/14/22	\$100,000.00	2022 October Monthly